

**MYERS KELLER**  
**COMMUNICATIONS LAW GROUP**  
1522 K STREET, N.W., SUITE 1100  
WASHINGTON, D.C. 20005  
(202) 371-0789  
FAX (202) 371-1136  
E-MAIL: RMYERS@MYERSKELLER.COM  
HTTP://WWW.MYERSKELLER.COM

ORIGINAL

Richard S. Myers  
Jay N. Lazrus+  
William R. Layton+

**RECEIVED**

**MAY 18 1999**

James J. Keller\*  
Abdoul K. Traore\*

+ Also admitted to Maryland

\*Communications engineer  
(Non-lawyer)

May 18, 1999

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

VIA HAND DELIVERY

Ms. Magalie Roman Salas, Secretary  
Federal Communications Commission  
The Portals  
TW-A325  
445 12th Street, SW  
Washington, D.C. 20554

Re: Notice of Ex Parte Meeting  
Gulf Cellular Rulemaking  
WT Docket No. 97-112 ✓  
CC Docket No. 90-6

Dear Ms. Salas:

On Tuesday, May 18, 1999, attorneys for Petroleum Communications, Inc. ("PetroCom") and US Cellular Corporation ("USCC") made an ex parte presentation concerning the referenced proceeding during a meeting with Steven Weingarten, Chief of the Commercial Wireless Division of the Wireless Telecommunications Bureau, and members of his staff. PetroCom was represented by Richard S. Myers, James J. Keller, and Jay N. Lazrus. USCC was represented by Peter M. Connolly of the firm Koteen & Naftalin. At the meeting, USCC and PetroCom presented the staff with an 8-point proposal for new rules to govern cellular licensing in the Gulf. A handout was circulated during the meeting, a copy of which is enclosed herewith.

Very truly yours,



Richard S. Myers

Enclosure

cc: Steven Weingarten  
Stephen Markendorff  
Michael Ferrante  
Linda Chang  
Jay Jackson  
Dan Abeyta  
Jennifer Glick

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## **COMMISSION'S GOALS IN GULF CELLULAR RULEMAKING**

- Adopt comprehensive regulatory plan to reduce conflict between water and land carriers
- Provide regulatory flexibility to Gulf carriers due to transitory nature of water sites
- Award licenses to serve well-traveled coastal areas to carriers that value the spectrum the most and will maximize its use to provide the best quality service to the public

US Cellular Corporation  
Petroleum Communications, Inc.  
Presentation to FCC Staff  
May 18, 1999  
Gulf Cellular Rulemaking  
WT Docket No. 97-112  
CC Docket No. 90-6

## **US CELLULAR'S AND PETROCOM'S JOINT PROPOSAL**

1. Permit both land and Gulf carriers to operate with field strengths at the coastline boundary as calculated by the Section 22.911(a)(1) formula for land-based systems.
2. Permit a carrier to operate at a higher power than that resulting from the 22.911(a)(1) formula based on measurement data showing that actual field strengths are unequal at the boundary, in order to achieve equal field strengths.
3. Keep the current definition of the coastline boundary but publish geographic coordinates that depict that boundary.
4. Adopt the Commission's proposal to create a Coastal Zone and Exclusive Zone but limit the Coastal Zone to the area on the Florida side of the Gulf lying between the coastline and a 10-mile boundary therefrom. The Exclusive Zone would include all the area seaward from the coastline boundary from Texas to Alabama, and all the area on the Florida side of the Gulf seaward from the outer boundary of the Coastal Zone as defined above.
5. Give Gulf carriers permanent, exclusive rights to serve all of the entire proposed Exclusive Zone so that a Gulf carrier can relocate a transmitter to an area it previously served in the Exclusive Zone but vacated due to a moved platform (this right would only apply to the Exclusive Zone).
6. Define the Gulf carrier's protected CGSA as the newly defined Exclusive Zone; thus no service area boundary (SAB) contour of a land carrier could enter the Exclusive Zone without the written consent of the Gulf carrier, even if the latter is not providing service to the particular area.
7. Mandate that land and Gulf carriers cooperate and negotiate extension agreements in good faith.
8. Grant pending non-mutually exclusive Phase II applications for service in the Coastal Zone.

## **THE JOINT PROPOSAL SERVES THE PUBLIC INTEREST**

- Reduces conflict between Gulf and land carriers by replicating rules as the exist for adjacent land carriers (equal power at the boundary).
- Provides regulatory flexibility for Gulf carriers through exclusive right to the Exclusive Zone that accounts for transitory nature of platforms.
- Expedites provision of service to the public in the Coastal Zone from existing land based licensees.
- Avoids complex third-party licensing issues over “unserved areas” in Coastal Zones which realistically can be served only by existing land-based systems.